

United States District Court

For the Northern District of California

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

11 DEBORAH SUE MANIGO, No. C-06-2921 MMC
12 Plaintiff,
ORDER DISMISSING CASE WITH
13 v.
LEAVE TO AMEND
14 U-HAUL and CHAGIT SHMARGED,
15 Defendants.

18 On April 28, 2006, plaintiff, proceeding pro se, filed the instant action, which was
19 reassigned to the undersigned on June 8, 2006. Before the Court is plaintiff's application to
20 proceed in forma pauperis, filed April 28, 2006.

Plaintiff's complaint, which appears to seek damages for injuries suffered when plaintiff slipped and fell from a U-Haul truck, contains no allegations suggesting that there is federal jurisdiction over her lawsuit. Plaintiff does not allege that defendants violated any federal law, see 28 U.S.C. § 1331, or that plaintiff and each of the defendants are citizens of different states and that the amount in controversy exceeds \$75,000, see 28 U.S.C. § 1332(a).

27 Accordingly, the instant action is hereby DISMISSED for lack of subject matter
28 jurisdiction, with leave to amend. If plaintiff wishes to pursue the instant action in federal

1 court, she shall file an amended complaint, no later than July 14, 2006, setting forth the
2 basis for federal jurisdiction over the action. If plaintiff does so, the Court will address her
3 motion to proceed in forma pauperis at that time. If plaintiff fails to do so, the instant action
4 will be dismissed without prejudice to plaintiff's refiling the action in state court.

5 **IT IS SO ORDERED.**

6 Dated: June 13, 2006

Maxine M. Chesney

7 MAXINE M. CHESNEY
United States District Judge

8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28